

Request for Reconsideration under 37 C.F.R. § 1.111  
U.S. Appln. No. 10/092,949

Suzuki (USP 6,540,313) in view of Katsurai et al. (USP 4,679,053); and claims 12-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki (USP 6,540,313) in view of Araki (USP 6,312,077) and Katsurai et al. (USP 4,679,053).

Applicant initially notes although the examiner has identified claims 22, 27, 28 and 29 on the cover sheet of the office action as being rejected, the examiner has failed to provide any basis for the rejection of these particular claims, including the statutory section under which the claims are rejected. Accordingly, in regard to at least these claims, Applicant respectfully requests clarification of the status of these claims and, if they are rejected, the basis of rejection.

For the reason set forth below, Applicant respectfully traverses the rejections and requests favorable disposition of the application.

Specifically, in regard to the rejection of claims 1-6, 8, 12-16, 21 and 26, Applicant notes that the rejection of each of these claims is based, at least in part, on Suzuki (USP 6,540,313). Based on the filing date of November 20, 2001 and an issue date of April 1, 2003, Suzuki is prior art with respect to the present application under 35 U.S.C. §102(e) only. As such, Suzuki can be removed as prior art against the present application by a showing of prior invention.

In this regard, Applicant herewith has submitted a certified English translation of each of the Japanese priority documents from which the present application claims priority. It is noted that each of the priority documents predates the November 20, 2001 filing date of Suzuki and, thus, Suzuki should be removed as prior art against the present application. In particular, Applicant has submitted certified English translations of each of the following priority documents:

Request for Reconsideration under 37 C.F.R. § 1.111  
U.S. Appln. No. 10/092,949

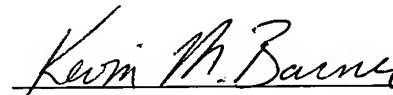
<u>Document Ref:</u>	<u>Filing Date</u>
2001-067888	March 9, 2001
2001-082263	March 22, 2001
2001-084626	March 23, 2001
2001-086475	March 23, 2001
2001-265138	August 31, 2001

***Conclusion***

In view of the foregoing remarks and proof of prior invention, the application is believed to be in form for immediate allowance with claims 1-29, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to **contact the undersigned** at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
Kevin M. Barner  
Registration No. 46,075

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: January 21, 2004

Attorney Docket No.: Q68893